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of consumer protection,
education &
communication."*

BBS News

CALIFORNIA BOARD OF BEHAVIORAL SCIENCES
Spring 2003 - Issue No. 11

Title Protection for Social Workers

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Assembly Bill 445, introduced February 14, 2003, would require that, on or after January 1, 2004, only those individuals who possess a degree from an approved school of social work, or from an institution that is in candidacy status as determined by the Council on Social Work Education, may use the designation "social worker." The bill would also specify that a graduate of a school in candidacy status as determined by the Council on Social Work Education may not use the designation "social worker" if the school fails to achieve accreditation. The bill would also specify that it shall not be construed to apply to an individual who is classified by his or her employer as a "social worker" if the individual holds this designation prior to January 1, 2004, and is continuously classified as a "social worker" subsequent to that date, or to an individual who is a graduate of a foreign school of social work.

Update on Clinical Vignette Items in the Written Examination

In addition to standard multiple-choice items, clinical vignette items are now included in the Marriage and Family Therapist written examination. The Licensed Clinical Social Worker written examination will include clinical vignette items beginning June 1, 2003.

The main differences between the clinical vignette items and standard multiple-choice items are as follows:

- ◆ The clinical vignette items may contain a series of questions related to the same vignette;
- ◆ The four possible answers (a, b, c, & d) are longer and more complex, listing a sequence of actions or describing a process of applying knowledge; and,
- ◆ Due to limitations of the computer screen size, the candidate will view the vignette separately from the possible answers.

The candidate will be provided with a tutorial as well as note-taking paper and the opportunity to ask for assistance if needed before the time on the examination begins.

The length of time needed to respond to clinical vignette items was tested during examination development workshops. The results indicated the need to reduce the total number of items in both examinations by 10 to accommodate the inclusion of clinical vignette items. Both the LCSW and MFT examinations now total 190 items each rather than 200. **Candidates are advised to answer all questions on the examination.**

For questions regarding the clinical vignette items, contact Christy Berger at (916) 445-4933 ext. 1026.

Looking for a past issue
of the *BBS News*?
Check out the Board's
website at
www.bbs.ca.gov
under "Forms and
Publications."

Pending Legislation

Senate Bill 250 (Battin) – This bill would specify that a mandated reporter who fails to report a known or reasonably suspected instance of unlawful sexual intercourse with a minor or who actively discourages others from reporting the violation would be punishable by a jail term and/or a fine up to \$2000.

Senate Bill 598 (Machado) This bill would revise and further limit the circumstances under which a provider of health care, health care service plan, or contractor may release medical information that relates to a patient's participation in outpatient treatment with a psychotherapist and would revise the definition of psychotherapist in the Civil Code by referencing the definition of psychotherapist in Section 1010 of the Evidence Code.

Senate Bill 816 (Perata) – This bill would revise the settings in which a Trainee or Intern may gain qualifying experience toward licensure as a Marriage and Family Therapist.

Senate Bill 1077 (Business and Professions Committee) - This bill would make several amendments to the sections of law that relate to Marriage and Family Therapy and Licensed Clinical Social Work by specifying the number of continuing education hours required for reactivation from inactive to active status within a renewal period, delete the specific settings in which Trainees, Interns, and Associate Clinical Social Workers gain experience and further elaborate on the experience to be gained, clarify setting responsibilities, allow associates to gain additional hours of experience under a licensed mental health professional acceptable to the Board, specify a required amount of supervision that associates must gain under a Licensed Clinical Social Worker, restructure the experience sections of law, and specify that the spousal and partner abuse continuing education shall be a seven hour course.

Assembly Bill 116 (Nakano) - This bill would state that the provisions of law regulating telemedicine apply to the practice of a Marriage and Family Therapist and would reference the sections of law that pertain to telemedicine.

Assembly Bill 183 (Nation) – This bill would include Marriage and Family Therapist and Licensed Clinical Social Worker services within the scope of Medi-Cal covered benefits, to the extent that federal matching funds are available for those services.



Assembly Bill 746 (Matthews) - This bill would require the Board to revoke a license if the licensee has more than one conviction for any felony or misdemeanor involving fraud committed in his or her capacity as a provider of services under the Medi-Cal program.

Assembly Bill 940 (Yee) – This bill would require Marriage and Family Therapists and Licensed Clinical Social Workers to complete a continuing education course approved by the Board in post-traumatic stress disorder in order to renew his or her license.

Assembly Bill 1100 (Longville) – This bill would enact the Alcohol and Drug Counselor Licensing Law and would require the Board to regulate, register, and license alcohol and drug abuse counselors.

For further information regarding the status of pending legislation see the California Legislative Information website at www.leginfo.ca.gov.

Regulation Update

Unprofessional Conduct: This proposal will amend Sections 1845, 1858, and 1881 of Articles 4, 5, and 6, Division 18 of Title 16, to add failure to report elder and adult dependent abuse as a violation which would constitute unprofessional conduct and to correct grammatical errors. The Notice, Proposed Language, and Initial Statement of Reasons are available on the Board's website in an adobe acrobat format.

Approved Regulations

Child Abuse Assessment Training Requirements: Effective April 13, 2003, Section 1807.2 of Article 1, Title 16 of Division 18, of the California Code of Regulations was amended to add continuing education providers and licensed health facilities to the entities that can offer this required training to pre licensed individuals. It also corrects an incorrect reference to the Education Code regarding the approving authority of the Bureau for Private Postsecondary and Vocational Education.

Definitions: Effective February 1, 2003, Section 1887 of Article 8, Division 18 of Title 16, of the California Code of Regulations was amended to allow licensees the convenience of obtaining all 36 hours of required continuing education through interactive, electronic means and to allow continuing education providers the opportunity to offer all trainings from another location by way of audiovisual means.

Potential Renewal Assessment

Assembly Bill 938 introduced February 20, 2003, would require the Board to charge an unspecified assessment to MFT and LCSW license renewals in order to fund the Mental Health Practitioner Education Fund. This fund would provide scholarships and loans to licensed mental health professionals who agree to serve in specific areas that are multicultural and linguistically diverse.

HIPAA Update

What is HIPAA?

The Health Insurance Portability and Accountability Act (HIPAA) was signed on August 21, 1996. It is intended to expand health coverage by improving the portability and continuity of health insurance coverage in both group and individual markets. It is also designed to combat waste in health service delivery, promote the use of medical savings accounts, improve access to long-term care services and coverage, and simplify the administration of health insurance.

Within this context, HIPAA includes a provision called “Administrative Simplification”, which is intended to improve the efficiency of a health care system by requiring the development of standards to transmit certain health information. It also establishes important requirements for the handling of certain health care information to assure the privacy and security of patient health care data. HIPAA also includes fiscal sanctions, and, in some cases, even criminal sanctions for non-compliance.

<u>Rule</u>	<u>Publish Date</u>	<u>Compliance Date</u>
Transactions & Code Sets	8/17/00	10/16/03
Privacy	12/28/00	4/14/03
National Employer ID	5/31/02	7/30/04
Security	2/20/03	4/21/05
National Provider ID	*Not	2 years after
National Health Plan ID	*Published	final rule
National Individual ID	*Yet	is published
Claims attachments		
Enforcement		

➤ Privacy Rule

Establishes requirements for the handling of certain health care information to ensure the privacy of patient health care data. It also requires covered entities to train all of its workforce no later than April 14, 2003 on the policies and procedures with respect to protected health information, as necessary and appropriate for members of the workforce to carry out their functions within the covered entity. Privacy also requires that consumers be provided access to their health records, an opportunity to amend these records, and an opportunity to file a complaint if they are not satisfied with these options.

Additional information on the HIPAA Privacy, the Access and Complaint requirements, and Training Process tool can be found at the California Office of HIPAA Implementation at: http://www.calohi.ca.gov/calohi/docs/PM2003-23_Exhibit_2-Training_Process.pdf.

➤ Transaction and Code Sets Rule

Practices that transmit claims electronically need to modify current systems, purchase practice management software or utilize a healthcare clearinghouse that meets HIPAA requirements. Compliance required by October 16, 2003 with “testing” to begin by April 16, 2003.

➤ Security Rule

Establishes standards to protect the confidentiality, integrity, and availability of individual health information. The Security Rule will provide a standard level of protection in an environment where health information pertaining to an individual is housed electronically and/or is transmitted over telecommunications systems/networks.

Who must comply?

- Healthcare providers who electronically transmit patient information for billing purposes or related purposes such as obtaining authorizations must comply.
- Health plans including group health plans, health insurance issuers, Health Maintenance Organizations (HMOs), Medicare, Medicaid, etc.
- Public agencies (State and county departments) are not exempt from these rules if they meet the HIPAA criteria as covered entities; however there are limited exemptions. Covered entities include health providers, health plans, and clearinghouses.
- Non-covered or exempt entities may have interactions with entities that are covered, requiring some degree of HIPAA implementation on their part.

Generally, HIPAA preempts state law. However, in the privacy area, any state law that is more stringent than HIPAA will prevail. Thus all health care providers should have a clear understanding of state privacy laws that apply to them. CalOHI has performed preemption analyses of the major privacy state laws. These can be found under the “Legal Issues” link on their website.

Where can I find more information?

Licensing Boards do not administer the provisions of HIPAA. Therefore, Board staff is not able to provide guidance regarding HIPAA compliance. If you have questions you may consider the following HIPAA resources:

- California’s Office of HIPAA Implementation at www.calohi.ca.gov
- U.S. Department of Health and Human Services (HHS) website at www.aspe.hhs.gov/admsimp/
- HHS Center for Medicare and Medicaid Services at www.cms.hhs.gov/hipaa
- HHS’s Office of Civil Rights (OCR) who implements HIPAA’s privacy regulations, guidance and requirements at www.hhs.gov/ocr/hipaa

Board Member News



Robert Gerst was appointed by Governor Gray Davis as a public member in March 2003. Mr. Gerst, of Los Angeles, has been retired from law practice since 1995. He was a senior partner with the Los Angeles law firm of Weissburg and Aronson from 1973 to 1993. From 1993 to 1995, Mr. Gerst was counsel to the firm before his retirement. He is a member of the Los Angeles Hillel Council, Los Angeles Jewish Federation, Los Angeles Jewish Community Relations Council, and the USC Hillel Board. Mr. Gerst earned Bachelor of Arts and juris doctorate degrees from the University of Southern California.

Renewal Tidbits!



Remember, the processing time for a license or registration renewal that has been completed properly (correct fee and required documentation) is four to six weeks.



Please write legibly on your renewal application and be careful not to deface the document. A defaced renewal application may require special handling which will delay the renewal from being processed timely.



Retired Status - The Board does not have a retired status. At this time the only options are to renew the license/registration, place it on an inactive status or allow it to expire.



Cancelled status - There is no provision in the law that allows the board to cancel a registration or license upon request. At this time the only options are to renew the license or registration or allow it to expire.



Public Information - The fact that you are/were licensed or registered with the Board is a matter of public record. This information, along with the address of record and the status of the license or registration is available indefinitely on our website under "Verify & Search Licenses." However once an ASW or IMF registration is cancelled, the address of record is no longer displayed.

CE Update and New Requirements (For MFT's and LCSW's)

- Effective February 1, 2003, you may obtain all of your required continuing education hours through interactive, or electronic means. This includes online, teleconferencing, and videotape viewing.
- Only one-third of the required CE hours can be earned through self-study. A self-study course is a course offered by an approved provider that is performed at your residence, office, or other private location, including, but not limited to, listening to audiotapes or participating in self-assessment testing (open-book tests that you complete and submit to the provider for grading).



- **Spousal or Partner Abuse CE Requirement**
Effective January 1, 2004, you will be required to complete a one-time course in spousal or partner abuse assessment, detection, and intervention strategies including community resources, cultural factors, and same gender abuse dynamics. The Board is in the process of determining the hours required for this course. *If you have taken a Spousal or Partner Abuse course in the past, or if you have equivalent teaching or practice experience, you may have met this requirement.*
- **Aging and Long-Term Care CE Requirement**
If you began graduate study prior to January 1, 2004 and are renewing for the first time in 2005 you must complete a 3-hour continuing education course in aging and long-term care. The course could include, but is not limited to, the biological, social, and psychological aspects of aging. *If you have taken an Aging and Long Term Care course in the past, or if you have equivalent teaching or practice experience, you may have met this requirement.*
- **Law and Ethics Course Requirement**
For license renewals on and after January 1, 2004, you must have completed a minimum of six hours of CE in the subject of law and ethics for this renewal and each subsequent renewal. The six mandatory hours will count towards your CE requirement.

Completing the Renewal Criminal Conviction Disclosure Section

As a requirement for renewal, licensees and registrants must disclose all misdemeanors, felonies, and any disciplinary action taken by any regulatory or licensing board in this or any other state **since their last** renewal. Convictions dismissed under Penal Code Section 1203.4 must also be disclosed. For clarification on Penal Code Section 1203.4 see: http://www.dmv.ca.gov/pubs/vctop/appndxa/penalco/penco1203_4.htm.

The criminal conviction disclosure requirement is located on part 3 of the renewal application. To ensure you complete this section correctly and to avoid your renewal being processed late, you **must date and sign** this section. You must also mark either the “yes” or “no” box. If this statement applies to you, mark the “yes” box. If it does not, mark the “no” box.

You are encouraged to send your completed renewal application as soon as possible as it takes four to six weeks to process a renewal that has been completed properly.

If the declaration on the renewal application is not completed properly, it will require special handling, and will delay the processing of your renewal, which involves another conviction declaration being sent to you for completion.

The renewal application along with all of the required information and fee must be postmarked on or before the expiration date. If any portion is incomplete it will not be renewed until all required information is completed and received. In addition the license or registration will expire and all practice rights will cease until it is properly renewed.

Sample License / Registration Renewal

**MFTs & LCSWs:
Must Mark
A or B**

**You must Mark
Yes or No**

**You must
sign & date**

Part 3
Continuing Education and Conviction Information

LICENSE RENEWAL APPLICATION
MARRIAGE AND FAMILY THERAPIST

SSN= _____

BOARD OF BEHAVIORAL SCIENCES

LICENSE NO _____ **LICENSE EXPIRES** _____

Current License Status is _____

ACTIVE
AMOUNT DUE NOW _____

AMOUNT DUE IF POSTMARKED AFTER _____

D. SIGNATURE _____
DATE _____

E. ONLY FILL IN IF A CHANGE IN NAME OR ADDRESS HAS OCCURRED
PRINT ANY CHANGES BELOW

FULL NAME _____

MAILING ADDRESS _____

CITY _____ **STATE** _____ **ZIP** _____

HOME PHONE NUMBER _____

WORK PHONE NUMBER _____

MFTs and LCSWs:

Mark box “A” if you have completed your CE requirement.

Mark box “B” if you have not completed your CE or wish to renew inactive.

All licensees and registrants: You must mark the Yes or No box.

Mark the “Yes” box if you have had a conviction since your last renewal.

Mark the “No” box if you have **not** had a conviction since you last renewal.

You must sign and date the renewal document. Failure to complete any portion will prevent your renewal from being processed.

Examination Calendar

	Test Date	Exam Cycle	Final Filing Date
MFT Written	Continuous testing		Allow up to 90 days for processing new applications
MFT Oral*	September 5-7, 12-14 and September 19-21, 2003	Fall, 2003	May 23, 2003
	February 6-8, 20-22, and February 27-29, 2004	Winter	December 12, 2003
	June 4-6, 11-13, and June 18-20, 2004	Summer 2004	April 9, 2004
	October 22-24, 29-31 and November 5-7, 2004	Fall, 2004	July 30, 2004
LCSW Written	Continuous testing		Allow up to 90 days for processing new applications
LCSW Oral *	October 3-5, 2003	Fall, 2003	June 20, 2003
	January 30, 31 and February 1, 2004	Winter	December 5, 2003
	June 25-27, 2004	Summer, 2004	March 12, 2004
	November 12-14, 2004	Fall, 2004	August 6, 2004
LEP Written	Continuous testing		Allow up to 90 days for processing new applications
<p style="text-align: center;"><i>* Oral Exam Information</i></p> <p style="text-align: center;"><i>Scheduling</i></p> <p>The oral examination is being offered three times in 2004. Examination fees are not refundable or transferable to another examination cycle once scheduling has occurred. Initial scheduling occurs one week after the final filing date. Notices of admittance will be mailed no later than two weeks prior to the first date in the cycle. Examination dates may be changed, cancelled or added as needed depending on the availability of oral examiners and other considerations. Any date changes will be announced on the board's telephone system and website. The Board does not accept requests for specific dates other than for religious reasons or medical needs. Accommodation requests <u>must</u> be received by the final filing date. Refer to the oral examination handbook for further information.</p> <p style="text-align: center;"><i>Eligibility</i></p> <p>First-Time Candidates Candidates are considered eligible for the oral examination after passing the written examination. All candidates must pass the written examination and submit the oral examination application and fee postmarked on or before the final filing date of the selected examination cycle.</p> <p>Re-Examinees Pursuant to Business and Professions Code sections 4984.7(h) and 4996.4 candidates may not apply to retake the oral examination until notification of failure is received. Candidates must submit a Request for Examination form and fee postmarked on or before the final filing date of the selected examination.</p> <p>Registered Interns, Associates and applicants who have completed the required amount of supervised experience or who are in the examination process must continue to receive one hour of individual or two hours of group supervision per week until licensed (B&P Code sections 4980.43(b), 4996.20(b), 4996.21(b)(3)) and 4996.23(h).</p>			

Examination Program Updates



The occupational analysis of **Marriage and Family Therapists** is complete! The Board plans to implement a written examination based on the updated outline on July 1, 2003. A revised oral examination will be implemented in September 2003.

The new MFT written examination outline will be available soon on the Board's website under the "Examination" section and will also be included in the written examination handbooks.

The new MFT oral examination handbook is in the process of being created and will be available on the website and upon request by mail in June 2003. It will also be mailed with all notices of admission for the September 2003 cycle in August 2003.

The occupational analysis of **Licensed Educational Psychologists** is also complete! Licensees returned completed questionnaires in early April, and the examination outline is being revised based on the results. The Board expects to implement a written examination based on the updated outline in spring 2004.

An occupational analysis of **Licensed Clinical Social Workers** is underway. The Board expects to mail questionnaires to licensees in fall 2003, and plans to implement a written examination based on the updated outline in late 2004.

The Board would like to thank the licensees who participated in the occupational analysis process, including those who returned completed questionnaires to the Board.

Please contact Christy Berger at (916) 445-4933 ext. 1026 or Sandra Wright at ext. 1242 if you have any questions or would like more information.

What is an occupational analysis?

An occupational analysis is a method for identifying the tasks performed in a profession or on a job and the knowledge, skills, and abilities required to perform that job. The Department of Consumer Affairs' Examination Validation Policy requires an occupational analysis be performed every 3 to 7 years. The occupational analysis begins with interviews of licensees to gather information about the tasks performed in practice and the knowledge required to perform those tasks. That information is reviewed and refined during workshops with licensees, then incorporated into a questionnaire. The questionnaire asks licensees to rate the importance of (for example) each task and knowledge area associated with their own practice.

What happens after an occupational analysis is completed?

The results of an occupational analysis form the basis of a licensing examination, demonstrating job-relatedness. An occupational analysis can identify changes needed to the examination program. Types of changes may include new content areas, new questions, or different weights for content areas. For LCSW and MFT, the occupational analysis results also provide information that can assist with evaluating the need for an oral examination requirement. Candidates will be provided with ample notice of any changes to be implemented.

BBS Licensee / Registrant Statistics*

Licensed Clinical Social Workers	15,339
Licensed Educational Psychologists	1,667
Marriage and Family Therapists	26,110
Associate Clinical Social Workers	5,847
MFT Interns	8,812
Continuing Education Providers	2048
MFT Referral Services	22

** This reflects the number of valid licensees and registrants with the Board as of April 1, 2003*

Separating Myth From Reality - Examination Preparation Courses

It has come to the Board's attention that some examination preparation courses provide information to candidates that may be misleading and inappropriate. This information came to the Board directly from candidates who participated in such courses.

The Board recently notified several examination preparation course providers that advising candidates in such a manner may be disadvantaging candidates as well as interfering with a state licensing examination. This could lead to a violation of Section 123 of the Business and Professions Code, which states, "It is a misdemeanor for any person to engage in any conduct which subverts or attempts to subvert any licensing examination or the administration of an examination..."

The Board strongly recommends that candidates study from the examination handbooks published by the Board. Candidates are encouraged to use their clinical education, experience and judgment as a basis for responding to items in the written and oral examinations.

Should you decide to study from examination preparation course materials or workshops, it is important to become an informed consumer prior to purchase. Also, consider the impact that incorrect information could have on examination performance. And, further research any written material or presentations that seem questionable or that is in conflict with Board-provided information.

The Board does not supply examination preparation providers with confidential examination material. Additionally, it is unlawful for candidates to provide information regarding examination content to anyone. Examination preparation providers are regulated by the Bureau for Private Postsecondary and Vocational Education.

If you feel you have been given misinformation or have been asked to violate the confidentiality agreement and wish to voice your concern to the Board, you may call (916) 445-4933 ext. 1234, or write to the Board to the attention of the examination unit.

Written and Oral Exam Statistics by Year *

<u>Exam</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>
LEP Written	96 Part. 67 Passed (70%)	32 Part. 19 Passed (59%)	64 Part. 51 Passed (80%)	59 Part. 40 Passed (68%)	64 Part. 42 Passed (66%)
LCSW Written	564 Part. 482 Passed (85%)	759 Part. 531 Passed (70%)	816 Part. 421 Passed (52%)	1,010 Part. 563 Passed (56%)	1,061 Part. 699 Passed (66%)
LCSW Oral	1302 Part. 597 Passed (46%)	1032 Part. 540 Passed (52%)	913 Part. 452 Passed (50%)	852 Part. 456 Passed (54%)	1,092 Part. 600 Passed (55%)
MFT Written	1,642 Part. 1,003 Passed (61%)	1,591 Part. 1,170 Passed (74%)	1,744 Part. 1,217 Passed (70%)	1,667 Part. 942 Passed (57%)	1,890 Part. 1,126 Passed (60%)
MFT Oral	2,277 Part. 1,026 Passed (45%)	2,030 Part. 984 Passed (48%)	2,003 Part. 954 Passed (48%)	2,025 Part. 876 Passed (43%)	2,055 Part. 973 Passed (47%)

* The examination statistics are for the total examinees who participated in that examination, the total amount of those who passed and the total percent pass rate for that exam period (year).

Testing Accommodations

The Board provides qualified applicants with testing accommodations as described below. All requests for accommodation must be received:

- 90 days prior to scheduling the **written** examination; or,
- By the final filing date for the **oral** examination.

Applicants will be notified in writing of the Board's decision. The Board will not provide accommodations at the examination site without prior approval.

APPLICANTS WITH DISABILITIES OR MEDICAL

CONDITIONS - The Board recognizes its responsibilities under the Federal Americans with Disabilities Act and the Fair Employment and Housing Act by providing testing accommodations or auxiliary aids or services for applicants who can substantiate the need due to a physical or mental disability or a qualified medical condition.

Reasonable, appropriate, and effective accommodations may be requested by submitting a "Request for Accommodation of Disabilities" package. Contact the Board office to have the forms mailed, or download the package at www.bbs.ca.gov/pdf/specaccom.pdf. Examination sites are physically accessible to individuals with disabilities.

ENGLISH IS APPLICANT'S SECOND LANGUAGE -

Applicants whose primary language is not English, and who can show proof of immigration to the United States ten or less years prior to the date of submission of the application for licensure, qualify for time and one half (50% extra time) to complete the examinations.

A request for additional time must be made by submitting a letter to the Board which includes the following information:

- 1) The applicant's BBS file number or social security number;
- 2) A statement that English is not the primary language;
- 3) The date that immigration to the United States first took place;
- 4) Proof of the first immigration date to the United States consisting of either a copy of the immigration papers, alien card, or passport; and,
- 5) If immigration took place more than ten years prior to the date of submission of the application for licensure, explain any extenuating circumstances. One example would be proof of prior accommodations in testing.

NON-SATURDAY/SUNDAY/HOLIDAY EXAMINATIONS DUE TO RELIGIOUS CONVICTIONS

- Written examination applicants may arrange the time and place for taking the examination, six days per week at most test centers, by following the directions provided in the written examination handbook. Oral examination dates will be arranged for applicants who provide a letter from a religious advisor confirming that religious convictions prevent the applicant from taking the examination on a Saturday, Sunday or religious holiday.

Contact Sandra Wright at (916) 445-4933, ext. 1242 or Christy Berger at ext. 1026 for any additional information or questions about accommodations.



Board Meeting Calendar

April 24-25, 2003
(San Jose)

July 24-25, 2003 *
(Los Angeles Area)

November 13-14, 2003
(Bay Area)

Attendance at Board meetings is encouraged and welcomed! Meetings are open to the public unless otherwise noted. Dates and locations are tentative and subject to change. Check our website at www.bbs.ca.gov for any date changes. Board and Committee Minutes are also available on our website. * In the event the State budget is not signed by June 30, this meeting may be postponed.

DISCIPLINARY ACTIONS (9/20/02 - 3/6/03)

The status of the following disciplinary actions were updated as of 4/15/03. These decisions are subject to judicial review. For current information, please contact the Board office directly.

BABCOCK, WILLIAM WAYNE

MFC 37258, Marysville, CA

Grounds for Discipline: Unprofessional conduct; conviction of a substantially related crime; intentionally or recklessly causing physical or emotional harm to any client; sexual misconduct.

Disposition: License revoked. Effective 1/20/03.

BOYD, KARLA KENNEDY

MFC 22771, Corte Madera, CA

Grounds for Discipline: Unprofessional conduct; gross negligence or incompetence; intentionally or recklessly causing physical or emotional harm to any client; performing, or holding one's self out as being able to perform, or offering to perform any professional services beyond the scope of license; failure to maintain confidentiality; performing or holding one's self out as being able to perform professional services beyond the scope of one's competence, as established by one's education, training, or experience. Disposition: License revoked. Cost recovery of \$71,715.00. If respondent chooses to apply for reinstatement, respondent's reinstatement shall be subject to the recovery of costs and fees found to be reasonable. The Board shall reassess the amount of the cost recovery to be imposed at that time. Effective 1/22/03.

Disciplinary Terminology

Charges: The violations that the respondent has allegedly committed which are in the accusation.

Respondent: The licensee or registrant who is the subject of the disciplinary action.

Revocation: License or registration is canceled and the right to practice ended.

Suspension: Respondent prohibited from practicing for a specific period of time.

Stayed: Revocation or suspension postponed and respondent put on probation.

Probation: Respondent may continue to practice under specific terms and conditions.

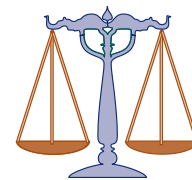
Voluntary Surrender: Respondent turns in the license or registration while charges are still pending - right to practice is ended.

Effective Decision Date: Date the disciplinary decision goes into operation.

Public Reprimand: Respondent issued a letter of reprimand resulting from a disciplinary action or pursuant to B&P Code section 495.

Writ of Mandate: Respondent appealed decision to the superior court.

Stay: The Board or superior court ordered the Board's decision to not be enforced pending further action.



BRUNO, SCOTT ANTHONY,

LCS 16200, Palm Desert, CA

Grounds for Discipline: Unprofessional conduct; conviction of a substantially related crime; administering to himself any alcoholic beverage to the extent, or in a manner, as to be dangerous or injurious to himself or any other person.

Disposition: License revoked, revocation stayed, five years' probation. Terms and conditions include supervised practice, psychotherapy, abstain from controlled substances/alcohol, submit to biological fluid testing and samples, restricted practice in that respondent shall not treat persons under the age of eighteen (18), cost recovery of \$420.00 within 90 days of the effective date of the decision. Effective 12/19/02.

JACOBS, IRWIN

MFC 27265, Santa Clarita, CA

Grounds for Discipline: Unprofessional conduct; conviction of a substantially related crime; administering to himself any controlled substance or of an alcoholic beverage to the extent, or in a manner, as to be dangerous or injurious to himself or others; violating provisions of the chapter. Disposition: License revoked, revocation stayed, five years' probation. Terms and conditions include psychological evaluation, supervised practice, psychotherapy; rehabilitation program; abstain from controlled substances; submit to biological fluid testing and samples; cost recovery of \$4,886.50. Effective 3/6/03.

MALMQUIST, ANDREA

MFC 25021, Laguna Beach, CA

Grounds for Discipline: No admissions. Disposition: License revoked, revocation stayed, 15 days suspension and three years' probation. Terms and conditions include psychotherapy; cost recovery of \$3,000.00. Effective 3/6/03.

MUTOZA, MICHELE K.

MFC 30445, Roseville, CA

Grounds for Discipline: Unprofessional conduct; gross negligence or incompetence. Disposition: License revoked, revocation stayed, three years' probation. Terms and conditions include law and ethics course; cost recovery of \$2,000.00. Effective 3/6/03.

RADIN, JESSICA

MFC 12874, Petaluma, CA

Grounds for Discipline: Unprofessional conduct; gross negligence; violating provisions of the chapter. Disposition: License revoked, revocation stayed, three years' probation. Terms and conditions include comply with Board of Psychology Disciplinary order, cost recovery of \$3,000.00. Effective 12/19/02.

RICH, CHERYL RENEE
IMF 42261, Los Angeles, CA

Grounds for Discipline: Unprofessional conduct; conviction of a substantially related crime. Disposition: Registration issued, registration immediately revoked, revocation stayed, five years' probation. Terms and conditions include psychological evaluation, supervised practice, and psychotherapy. Effective 11/11/02.

WALLACE, ORLIN JACK
MFC 19221, El Granada, CA

Grounds for Discipline: No admissions. Disposition: License voluntarily surrendered. Effective 3/6/03.

REGISTRATION DENIALS:

DEARING, MICHAEL
MFT Intern Applicant, Santa Cruz, CA

Grounds for Discipline: Unprofessional conduct; conviction of a substantially related crime; administering to himself any alcoholic beverage to the extent, or in a manner, as to be dangerous or injurious to himself or any other person. Disposition: Application denied. Effective 11/11/02.

SCOTT, MALCOLM III
ASW Applicant, Berkeley, CA

Grounds for Discipline: Unprofessional conduct; conviction of a substantially related crime. Disposition: Statement of Issues withdrawn, application denied. Applicant withdrew his request for a hearing regarding the denial of his application for registration on June 20, 2002. Effective date of denial shall now be the date of the Order Withdrawing Statement of Issues. Effective 11/12/02.

The Mission of the Board is to protect the consumer by establishing and maintaining standards for competent and ethical behavior by the professionals under its jurisdiction.

BBS Services Phone Directory

Board Office

(916) 445-4933



The phone numbers for each of the service areas list below are the same as the main number, however the extensions are different.

<u>General</u>	<u>Extension No.</u>
Address or Name Changes	1113
Certifications & Deferments	1025
CE, CE Providers, MFT Referral Services	1008
License Status / Verification	1009
Renewals	1322
Request Applications, Forms, Laws & Regulations	1800

Examination Program

Initial Licenses	1113
Oral Examination Appeals	1009
Oral Examiner Training	1234
Special Accommodations	1242
Subject Matter Experts (SME), workshops	1242

Licensing Program

ASW Evaluator	1030
LCSW Evaluator	1005
LEP Evaluator	1025
MFT Intern Evaluator	1121
MFT Evaluator (A-K)	1122
MFT Evaluator (L-Z)	1124

Enforcement Program

Complaint Form & Information	1241
Disciplinary Hot Sheets	1015
Probation Monitor	1014

BBS Website <http://www.bbs.ca.gov>
BBS WebMaster email BBSWebMaster@bbs.ca.gov

BBS CHANGE OF ADDRESS REQUEST FORM

Please type or print clearly in ink. Be sure to provide all information. Allow 30 days for processing.

LICENSE OR REGISTRATION NUMBER(S): (indicate **all** BBS licenses and/or registrations and their types to which this change applies):

NAME (as it appears on your license or registration):

SSN or FEIN (not required of PCEs):

FORMER ADDRESS:
CITY / STATE / ZIP:
TELEPHONE:

NEW ADDRESS:
CITY / STATE / ZIP:
TELEPHONE:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

ORIGINAL SIGNATURE:

DATE:

- ☐ I would like to order a replacement wall license or registration certificate that will reflect my new address - **\$20.00 FEE.**
(Include the fee and your old license or registration certificate with this Change of Address Request Form. Requests for a replacement certificate received without the fee or certificate cannot be processed; however, your address will still be updated.)

Please note that your address of record with the Board (the address displayed on your license, or registration) is public information and is released to the public upon request and will be placed on the Board's website.

CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS

BOARD OF BEHAVIORAL SCIENCES

400 R STREET, SUITE 3150
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